THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.10097 OF 2000

ORAL ORDER:

The petitioner claims title and possession in respect of Ac.7.28 cents of land situated in Kamayyapalem village, Jeelugumilli Mandal, West Godavari District, by virtue of the order of the Special Deputy Collector, Tribal Welfare, K.R. Puram, dated 21.8.1990. It is pleaded that by virtue of the said order, the petitioner and his family members were put in possession and that they have been continuing in possession and enjoyment of the same by raising crops. It is alleged that the 2nd respondent-Mandal Revenue Officer, Jeelugumilli, has been attempting to interfere with petitioner's possession and contemplating to issue pattas in favour of third parties in respect of the land in his possession. Hence, this writ petition seeking a declaration that the action of the 2nd respondent is arbitrary, illegal and contrary to the order of the 1st respondent dated 21.8.1990, which has become final.

Though *Rule nisi* was ordered on 23.4.2001, no counter affidavit is filed by the respondents, and the averments in the writ petition stood unrebutted.

Having heard learned counsel for both the parties and having regard to the facts and circumstances of the case and in the absence of counter affidavit, I deed it appropriate to dispose of the writ petition with a direction to the respondents not to interfere with the possession of the petitioner in respect of the land in question without following due process of law, provided the order of the 1st respondent dated 21.8.1990 has become final. No costs.

(G. ROHINI).

26th February, 2007.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.10097 OF 2000

26th February, 2007.

Between:

Seemakurthi Kesavarao. .. Petitioner.

And

The District Collector, West Godavari District,
Eluru and another. .. Respondents.